

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO,)	
<i>ex rel.</i> State Engineer,)	
)	
Plaintiff,)	
)	69cv07941- JEC-ACE
-v-)	
)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

**NOTICE OF FILING OF
SPECIAL MASTER'S STATUS REPORT**

TO DISTRIBUTION:

All counsel of record and interested parties listed on the attached distribution list are hereby notified that the Special Master's status report for January 2001 through June 2001 was filed with the Clerk of the District Court on July 30, 2001.

/electronic signature/
SPECIAL MASTER VICKIE L. GABIN

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO)	
<i>ex rel.</i> of State Engineer,)	
)	
Plaintiff,)	
)	69cv07941- JEC-ACE
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)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

MOTION OF SPECIAL MASTER
FOR INTERIM FEES AND EXPENSES

TO: The Honorable John E. Conway
United States District Judge

FROM: Vickie L. Gabin
Special Master

A Motion requesting the Court to approve interim fees and expenses, a brief summary of the work performed, and the Special Master's Declaration in support of Motion

This Motion is submitted pursuant to the Administrative Order entered February 23, 1995, regarding the manner in which the Special Master, law clerk, data manager and other personnel required by the Special Master are paid for services, costs, expenses and New Mexico gross receipts taxes related to this adjudication. The Special Master hereby moves for an order of the Court approving interim fees and expenses for work performed in this case from January 1, 2001 through June 30, 2001. Most of the fees and expenses have already been paid from the account maintained by the Court.

I. WORK PERFORMED

A. Case management

1. Work on errors and omissions in mainstem subfiles is continuing by the parties under the supervision of the court's data manager. The data manager has completed the transfer of previously compiled data in the Court's data base to the State of New Mexico. The data manager also tracks all water rights information contained in newly filed consent orders for Sections 3 (Rios Cebolla, Canjilon and Las Nutrias) and 5 (Rio Gallina).

2. The remaining Rio Chama tributary portion is designated Section 7, Tierra Amarilla. The hydrographic survey report for subsection Rito de Tierra Amarilla was filed January 31, 2001. Hydrographic survey work for the Rio Brazos has been completed, and final preparation of the report and survey maps is underway. Survey work for the Rutheron subsection is nearly completed, and the work for the remaining two subsections - Canones Creek and the Village of Chama - is in large part completed. The Office of the State Engineer anticipates completing all surveys except the Village of Chama by the end of 2001.

B. Section 5 adjudication

The adjudication of individual water rights claimants is close to completion. I reviewed and signed numerous consent orders, and received a progress report at the general status conference February 22. On March 24, I held a pretrial conference in Gallina to meet with owners of the first six disputed subfiles, and to schedule discovery and pretrial motions. The April 2, 2001 Prehearing Order (Docket No. 6217) sets hearings for November, 2001.

C. Section 3 adjudication

The adjudication of individual water rights claimants proceeds pursuant to the Procedural Order I entered July 25, 2000. Numerous consent orders have been processed and filed. A status conference to assess progress and produce a new procedural order generally is scheduled for July 31.

D. Pending reports

While day-to-day case management of the federal cases takes the majority of my time, I continue to work on two pending special master reports - the United States' Wild and Scenic River claims, and priorities for three mainstem acequias.

E. Federal and Indian water rights claims

At the February 22 general status conference, the State and the United States indicated that they are planning to set up joint fieldwork teams to survey federal claims in Sections 3 and 7. The State is still formulating its position with respect to certain legal issues.

II. DECLARATION

DECLARATION OF SPECIAL MASTER IN SUPPORT OF MOTION

I, Vickie L. Gabin, declare that the work described above is the basis for my fee application, and that the work of data manager Karla McCall, and Geta A. Gatterman, paralegal and administrative assistant, has been completed as described. Hourly records of work performed are available from the contractors if needed.

Dated: July 28, 2001

_____/electronic signature/
VICKIE L. GABIN, SPECIAL MASTER